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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/827,233	04/20/2004	Hsin Mao Hsieh	HSIE3047/EM	2529
23364	7590	12/15/2004	EXAMINER	
BACON & THOMAS, PLLC 625 SLATERS LANE FOURTH FLOOR ALEXANDRIA, VA 22314			CHIN, BRAD Y	
			ART UNIT	PAPER NUMBER
			1744	

DATE MAILED: 12/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/827,233

Applicant(s)

HSIEH, HSIN MAO

Examiner

Brad Y. Chin

Art Unit

1744

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 April 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☒ Claim(s) 2-3,5 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Abstract

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

The abstract of the disclosure is objected to because Applicant fails to provide clear and concise language to describe Applicant's invention. Applicant's abstract contains run-on sentences and improper grammar which prohibit a clear understanding of Applicant's invention, i.e. (1) use of the word "comprising" on line 1 where "comprises" should be used and (2) "the pedestal is installed on the proper location of the electronic product; the fans on the pedestal inhale external air into the electronic product, while the hot air is sending out the sterilizing device on the electronic product kills bacteria or virus carried by incoming and outgoing air." Correction is required. See MPEP § 608.01(b).

Claim Objections

Claims 2, 3, and 5 are objected to because of the following informalities:

Regarding claims 2 and 5, Applicant fails to provide antecedent basis for the electronic device and for the section on the pedestal unoccupied by the fans, respectively. In claim 2, Applicant should change the phrase, "the electronic device" to "an electronic device". Applicant should provide antecedent basis in claim 1 for "the section" recited in claim 5.

In dependent claim 3, Applicant claims "the electronic device" but fails to provide antecedent basis for such device in claim 1 – the claim from which claim 3 depends. It is believed that Applicant meant to depend claim 3 from dependent claim 2, where "the electronic device" is identified. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-5 are rejected under 35 U.S.C. 102(b) as being anticipated by Ou Yang et. al. [U.S. Patent No. 6,797,044].

Ou Yang teaches a radiator module (heat-radiating fan) with sterilizing device comprising: a pedestal (fan body 14); a fan installed on the pedestal, the number of fans being more than one (fan blade 15; See Specification, col. 1, lines 35-41 – the present invention can apply to small vertical fans, i.e. more than one fan in a system, to accomplish filtering and sterilizing effects at the same time of reducing ambient temperature; Duplicating part for a multiple effect, i.e. multiple fans to increase air exchange flow rate and rate of sterilization – *In re Harza*, 274 F.2d 669, 671, 124 USPQ 378, 380 (CCPA 1960)); a sterilizing device installed on the pedestal [in a location] unoccupied by the fans, when the fan inhales air, the sterilizing device eliminates bacteria or viruses in the incoming and outgoing air and prevents such bacteria or viruses from propagation and contagion (UV LED diodes 21 located in fixing board 19 for irradiating UV light toward the filter net 20 to accomplish filtering and sterilizing effects).

Regarding claim 2, Ou Yang teaches the radiator module with sterilizing device recited in claim 1, wherein the pedestal is installed on one side of the electronic device (See Fig. 4 – radiator module with sterilizing device is disposed on one planar side of the electronic device).

Regarding claim 3, Ou Yang teaches the radiator module with sterilizing device recited in claim 1, wherein the electronic device is a desktop computer (See Fig. 4; See Specification, col. 1, lines 35-41 – another object of the present invention is to provide an air filter device applicable to various kinds of exhaust devices...computers).

Regarding claim 4, Ou Yang teaches the radiator module with sterilizing device recited in claim 1, wherein the sterilizing device is a UV lamp (UV LED diodes 21, emitting ultraviolet light and eliminating bacteria in the air and in the sponge filter).

Regarding claim 5, Ou Yang teaches the radiator module with sterilizing device recited in claim 1, wherein the section on the pedestal unoccupied by the fans forms an oblique plain (See Fig. 5; oblique planar edges on the top and bottom side of the fan body 14 where filter net 20 slides into the fan body 14, the fan body 14 onto which the sterilizing device, UV LED diodes 21, is installed).

Conclusion

2. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

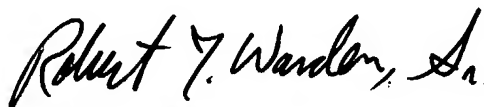
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brad Y. Chin whose telephone number is 571-272-2071. The examiner can normally be reached on Monday – Friday, 8:00 A.M. – 5:00 P.M.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Warden, can be reached at 571-272-1281. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

byc
November 12, 2004



ROBERT J. WARDEN, SR.
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700